

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Promote  
Consistency in Methodology and Input  
Assumption in Commission Applications of  
Short-run and Long-run Avoided Costs,  
Including Pricing for Qualifying Facilities.

Rulemaking 04-04-025

**ADMINISTRATIVE LAW JUDGE'S RULING  
SHORTENING TIME FOR RESPONSES TO  
INDEPENDENT ENERGY PRODUCERS ASSOCIATION'S MOTION**

**Summary**

This ruling shortens the time for responding to the Independent Energy Producers Associations' (IEP) Motion for an Extension of time within which to submit Opening Testimony.

**Background**

On May 24, 2005, IEP filed a Motion for an extension of time to submit opening testimony in Rulemaking (R.) 04-04-025 accompanied by a request that the time for responding to the Motion be shortened to five business days. IEP states that in light of the Administrative Law Judges' Ruling on Protective Order and Remaining Discovery Disputes dated May 9, 2005, the time for submitting Opening Testimony should be extended by 105 days to provide IEP sufficient time to (a) survey, interview, and select suitable, knowledgeable candidates to serve as IEP's Reviewing Representative; (b) sufficient time for the approved Reviewing Representative to become familiar with the procedural record; (c) a reasonable amount of time to obtain, review, and analyze the protected

materials; and (d) sufficient time to prepare testimony as appropriate on IEP's behalf. IEP further states that absent additional time to seek out and retain supplemental, qualified professionals that can sign the protective order, IEP will not be able to effectively present its position in this proceeding. IEP requests that the schedule for the conduct of R.04-04-025 should be extended by 105 days from July 6, 2005 to October 15, 2005. IEP also requested that the due date for filing responses to the Motion be shortened from June 8, 2005 to June 1, 2005.<sup>1</sup>

The due date for responses to the Motion requested by IEP, June 1, 2005, is already past. However, IEP's Motion should be considered expeditiously to prevent unnecessary delay in the schedule. The due date for any responses to IEP's Motion shall be shortened to June 6, 2005.

**IT IS RULED** that that the time for filing responses to the Independent Energy Producers Association's Motion to for an Extension of Time within which to Submit Opening Testimony in Rulemaking 04-04-025 is shortened to June 6, 2005.

Dated June 2, 2005, at San Francisco, California.

/s/ JULIE HALLIGAN  
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Julie Halligan  
Administrative Law Judge

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<sup>1</sup> Rule 45(f) of the Commission's Rules of Practice and Procedure provides 15 days for responses to Motions, unless otherwise the administrative law judge sets a different date.



**CERTIFICATE OF SERVICE**

I certify that I have by electronic mail this day served a true copy of the original attached Administrative Law Judge's Ruling Shortening Time for Responses to Independent Energy Producers Association Motion on all parties of record in this proceeding or their attorneys of record.

Dated June 2, 2005, at San Francisco, California.

/s/ TESSIE GALLARDO

Teresita C. Gallardo

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.